

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

NOKIA CORPORATION,)
)
Plaintiff,)
)
v.)
)
APPLE INC.,)
)
Defendant.)

C.A. No. 09-791 (GMS)

APPLE INC.,)
)
Counterclaim Plaintiff,)
)
v.)
)
NOKIA CORPORATION and NOKIA INC.,)
)
Counterclaim Defendants.)

**DECLARATION OF COBY S. NIXON IN SUPPORT OF
NOKIA'S ANSWERING AND REPLY CLAIM CONSTRUCTION BRIEF**

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April 19, 2011

I, Coby S. Nixon, declare as follows:

1. I am an attorney at law admitted to practice before this court *pro hac vice*.

I am an associate in the law firm of Alston & Bird, LLP, counsel for Plaintiff Nokia Corporation and Counterclaim-Defendant Nokia Inc. (collectively, "Nokia"). I have knowledge of all of the following facts and, if called as a witness, could and would competently testify thereto.

2. Attached as Exhibit 1 is a true and correct copy of relevant excerpts of the book *Universal Mobile Telecommunications System (UMTS) Security* (2003) by Valteri Niemi and Kaisa Nyberg, which Nokia cites as extrinsic evidence for the disputed claim term "input value" in Nokia's U.S. Patent No. 7,009,940. See Nokia's Answering and Reply Claim Construction Brief, D.I. 292 (hereinafter, "Nokia's Brief") at 11.

3. Attached as Exhibit 2 is a true and correct copy of a results listing for a search of the term "listen string" in the USPTO's online database of United States patents, which Nokia cites as extrinsic evidence for the disputed claim term "listen string" in Apple's U.S. Patent No. 6,189,034. See Nokia's Brief at 20-21. The patents listed in Exhibit 2 at search result nos. 1, 5, 6, 7, and 9 include the term "listen string" and name Guy Riddle as an inventor. The patents listed in Exhibit 2 at remaining search results nos. 2, 3, 4, 8, 10, and 11 do not include the term "listen string," but were identified by the search for including the similar but different phrases "Listen(String semanticObjectClass)" (result nos. 2 and 3), "listen to a string" (result no. 4), "listen for their string" (result nos. 8 and 10), and "listen to the string" (result no. 11).

4. Attached as Exhibit 3 is a true and correct copy of Apple's U.S. Patent No. 6,424,354 titled, "Object-Oriented Event Notification System with Listener Registration

of Both Interests and Methods,” which Nokia cites as extrinsic evidence for the disputed claim term “connection object” in Apple’s U.S. Patent No. 5,315,703. *See* Nokia’s Brief at 26-27.

5. Attached as Exhibit 4 is a true and correct copy of a Claim Comparison Chart comparing Claim 1 of Apple’s U.S. Patent No. 6,424,354 and Claim 8 of Apple’s U.S. Patent No. 5,315,703, which Nokia cites as extrinsic evidence for the disputed claim term “connection object” in Apple’s U.S. Patent No. 5,315,703. *See* Nokia’s Brief at 27.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on April 19, 2011.

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CERTIFICATE OF SERVICE

I hereby certify that on April 19, 2011, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to:

Richard L. Horwitz, Esquire
David E. Moore, Esquire
POTTER ANDERSON & CORROON LLP

I further certify that I caused to be served copies of the foregoing document on April 19, 2011, upon the following in the manner indicated:

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